

Order

Michigan Supreme Court
Lansing, Michigan

January 10, 2006

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

128610

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee/
Cross-Appellant,

V

DONALD JAMES WYRICK,
Defendant-Appellant/
Cross-Appellee.

SC: 128610
COA: 250776
Muskegon CC: 02-048013-FH

AMENDMENT TO ORDER

On order of the Court, the order of December 8, 2005 is amended to correct a clerical error by amending the text of the third paragraph thereof to read as follows:

“The trial court used the double-penalty provision of the Public Health Code, MCL 333.7413(2), to convert the misdemeanor into a felony. The sentence enhancement statutes do not create new offenses; they merely authorize trial courts to increase the length of time that a defendant must serve. *People v Eason*, 435 Mich 228, 246-249 (1990). The statute that authorizes trial courts to impose consecutive sentences for “another felony,” MCL 333.7401(3), does not govern this case.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 10, 2006

Corbin R. Davis

Clerk